



PATENT
Docket No: DEV07001USU
Serial No.: 10/804,598

THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Santomassimo et al.

DOCKET NO.: DEV07001USU

SERIAL NO.: 10/804,598

GROUP ART UNIT: 3764

DATE FILED: March 19, 2004

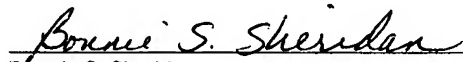
EXAMINER: Richman, Glenn E.

CONFIRMATION NO.: 9559

TITLE: USER INTERFACE FOR A RESISTANCE TRAINING DEVICE AND METHOD
OF USE

I hereby certify that this correspondence is being deposited
with the United States Postal Service as first class mail in an
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Box 1450, Alexandria, VA 22313-1450 on August 15, 2008.

August 15, 2008


Bonnie S. Sheridan

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

**REPLY TO OFFICE ACTION MAILED JUNE 16, 2008
AND AMENDMENT**

This paper is responsive to the Office Action dated June 16, 2008, for which a shortened statutory period for reply expired on July 16, 2008. A Petition for a One-Month Extension of Time is being filed herewith to extend the time for filing this paper to August 16, 2008.

The Examiner states that "Restriction to one of the following inventions is required under 35 U.S.C. 121:"

- I. Claims 27-31, drawn to a portable recording device, classified in
class 482, subclass 8.

II. Claims 32-34, drawn to a method of resistive training, classified in class 434, subclass 247.

Assignee, Devici, Inc. hereby elects Group II, claims 32-34, drawn to a method of resistive training, classified in class 434, subclass 247, and cancels claims 27-31 without prejudice.

Amendments to Specification – None.

Amendments to Claims – Begins on page 3.

Amendments to Drawings – None.

Remarks/Arguments – Begins on page 5.